

PRELIMINARY DRAFT

TEXAS LEGISLATIVE COUNCIL
Special District Local
Laws Code
Chapter 6914
9/5/14

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16	CHAPTER 6914. PETTUS MUNICIPAL UTILITY DISTRICT	
17	SUBCHAPTER A. GENERAL PROVISIONS	
18	<u>Revised Law</u>	
19	Sec. 6914.001. DEFINITIONS. In this chapter:	
20	(1) "Board" means the board of supervisors of the	
21	district.	
22	(2) "District" means the Pettus Municipal Utility	
23	District.	
24	(3) "Supervisor" means a member of the board. (Acts	
25	57th Leg., 3rd C.S., Ch. 38, Sec. 1 (part); New.)	

1 Source Law

2 Sec. 1. . . . [a . . . district] . . . to be
3 known as "Pettus Municipal Utility District,"
4 hereinafter referred to as the "District," and

5 Revisor's Note

6 The definitions of "board" and "supervisor" are
7 added to the revised law for drafting convenience and
8 to eliminate frequent, unnecessary repetition of the
9 substance of the definitions.

10 Revised Law

11 Sec. 6914.002. NATURE OF DISTRICT. The district is:

12 (1) a conservation and reclamation district in Bee
13 County under Section 59, Article XVI, Texas Constitution;

14 (2) a fresh water supply district; and

15 (3) a municipal corporation. (Acts 57th Leg., 3rd
16 C.S., Ch. 38, Secs. 1 (part), 5 (part), 7 (part).)

17 Source Law

18 Sec. 1. Under and pursuant to the provisions of
19 Section 59 of Article XVI, Constitution of Texas, a
20 conservation and reclamation district is hereby
21 created and incorporated in Bee County, Texas,

22 Sec. 5. . . . Upon the adoption of this Act,
23 said District shall be a fully created and established
24 fresh water supply district.

25 Sec. 7. [The Legislature] . . . declares the
26 District to be a governmental agency, a body politic
27 and corporate, and a municipal corporation.

28 Revisor's Note

29 (1) Sections 1 and 5, Chapter 38, Acts of the
30 57th Legislature, 3rd Called Session, 1962, refer to
31 the creation, incorporation, and establishment of the
32 district. The revised law omits "hereby created and
33 incorporated" and "[u]pon the adoption of this Act,
34 [said District shall be a] fully created and
35 established [fresh water supply district]" as
36 executed.

37 (2) Section 7, Chapter 38, Acts of the 57th
38 Legislature, 3rd Called Session, 1962, refers to the

1 district as "a governmental agency, a body politic and
2 corporate." The revised law omits the quoted language
3 because it duplicates a portion of Section 59(b),
4 Article XVI, Texas Constitution, which provides that a
5 conservation and reclamation district is a
6 governmental agency and a body politic and corporate.

7 Revised Law

8 Sec. 6914.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)
9 The district is created to serve a public use and benefit.

10 (b) All land and other property included in the district
11 will benefit from the creation of the district and the improvements
12 that the district will purchase, construct, or otherwise acquire.

13 (c) The district is essential to accomplish the purposes of
14 Section 59, Article XVI, Texas Constitution. (Acts 57th Leg., 3rd
15 C.S., Ch. 38, Secs. 5 (part), 7 (part).)

16 Source Law

17 Sec. 5. It is hereby found and determined that
18 all of the lands and other property included within the
19 District are, and will be, benefited by the creation of
20 the District and by the improvements that the District
21 will purchase, construct, or otherwise acquire, and
22 that the District is created to serve a public use and
23 benefit. . . .

24 Sec. 7. The Legislature hereby exercises the
25 authority conferred upon it by Section 59 of Article
26 XVI, Constitution of Texas, and declares that the
27 District created by this Act is essential to the
28 accomplishment of the purposes of said constitutional
29 provision; finds that all of the land and other
30 property included therein are, and will be, benefited
31 thereby and by the improvements that the District will
32 purchase, construct or otherwise acquire; and

33 Revisor's Note

34 Section 7, Chapter 38, Acts of the 57th
35 Legislature, 3rd Called Session, 1962, states that the
36 legislature "hereby exercises the authority conferred
37 upon it by Section 59 of Article XVI, Constitution of
38 Texas, and declares that" the district "created by
39 this Act" is essential to accomplish the purposes of
40 that constitutional provision. The revised law omits
41 the quoted language as executed.

1 Revised Law

2 Sec. 6914.004. DISTRICT TERRITORY. The district is
3 composed of the territory described by Section 1, Chapter 38, Acts
4 of the 57th Legislature, 3rd Called Session, 1962, as that
5 territory may have been modified under:

6 (1) Subchapter G, Chapter 53, Water Code, before
7 September 1, 1995;

8 (2) Subchapter J, Chapter 49, Water Code; or

9 (3) other law. (New.)

10 Revisor's Note

11 The revised law does not revise the statutory
12 language describing the territory of the district to
13 avoid the lengthy recitation of the description and
14 because that description may not be accurate on the
15 effective date of the revision or at the time of a
16 later reading. For the reader's convenience, the
17 revised law includes references to the statutory
18 description of the district's territory and to the
19 statutory authority to change the district's territory
20 under Subchapter G, Chapter 53, Water Code, which
21 applied to the district under Section 2, Chapter 38,
22 Acts of the 57th Legislature, 3rd Called Session, 1962
23 (see Section 6914.101 of this chapter), until that
24 subchapter was repealed in 1995, and under Subchapter
25 J, Chapter 49, Water Code, applicable to the district
26 under Sections 49.001 and 49.002 of that chapter. The
27 revised law also includes a reference to the general
28 authority of the legislature to enact other laws to
29 change the district's territory.

30 SUBCHAPTER B. BOARD OF SUPERVISORS

31 Revised Law

32 Sec. 6914.051. COMPOSITION OF BOARD. The board consists of
33 five elected supervisors. (Acts 57th Leg., 3rd C.S., Ch. 38, Sec. 3
34 (part).)

Source Law

Sec. 3. The management and control of the District is hereby vested in a Board of five (5) supervisors . . . elections for Supervisors shall be held

Revisor's Note

Section 3, Chapter 38, Acts of the 57th Legislature, 3rd Called Session, 1962, provides that "[t]he management and control of the District is hereby vested" in the board of supervisors. The revised law omits the quoted language because it duplicates, in substance, parts of Sections 49.051 and 49.057, Water Code. Throughout this chapter, the revised law omits law that is superseded by Chapter 49, Water Code, or that duplicates law contained in that chapter. Chapter 49 (enacted in 1995) applies to the district under Sections 49.001 and 49.002, Water Code.

Revisor's Note
(End of Subchapter)

(1) Section 3, Chapter 38, Acts of the 57th Legislature, 3rd Called Session, 1962, provides that the board has the powers and duties provided to a board of supervisors of a fresh water supply district organized under Chapter 4, Title 128, Revised Civil Statutes of Texas, 1925. The relevant provisions of Chapter 4, Title 128, Revised Statutes, were codified as part of Chapter 53, Water Code, by Chapter 58, Acts of the 62nd Legislature, Regular Session, 1971. Chapter 715, Acts of the 74th Legislature, Regular Session, 1995, repealed many of the provisions in Chapter 53 relating to the powers and duties of the board and enacted similar provisions in Chapter 49, Water Code. Because both Chapter 49 (through Sections 49.001 and 49.002, Water Code) and Chapter 53 (through Section 2, Chapter 38, Acts of the 57th Legislature, 3rd Called Session, 1962, codified in pertinent part

1 as Section 6914.101) already apply to the district,
2 the revised law omits that provision as unnecessary.

3 The omitted law reads:

4 Sec. 3. [The management and control
5 of the District is hereby vested in a Board
6 of five (5) supervisors] which shall have
7 all of the powers and authority and duties
8 conferred and imposed upon boards of
9 supervisors of fresh water supply districts
10 organized under the provisions of Chapter 4
11 of Title 128, Revised Civil Statutes of
12 Texas, 1925, together with all amendments
13 thereof and additions thereto. . . .

14 (2) Section 3, Chapter 38, Acts of the 57th
15 Legislature, 3rd Called Session, 1962, provides for
16 the election of the board of supervisors of the
17 district. The revised law omits as executed those
18 provisions that relate to the establishment of the
19 first board, that board's vacancy procedures, and the
20 1964 supervisor election. The omitted law reads:

21 Sec. 3. . . . The members of the
22 first Board of Supervisors shall be: R. F.
23 Harris, Paul Avery, Fred Hoffer, Jesse L.
24 Johnson and John B. Shaw. Said members shall
25 become Supervisors immediately after this
26 Act becomes effective, and said first Board
27 of Supervisors shall meet and organize as
28 soon as practicable after the effective
29 date of this Act, and shall file their
30 official bonds. If any of the
31 aforementioned members of said first Board
32 of Supervisors shall die, become
33 incapacitated, or otherwise not qualify to
34 assume their duties under this Act, the
35 County Judge of Bee County, Texas, shall
36 appoint his or their successors. . . . The
37 first election of Supervisors of such
38 District shall be held on the first Tuesday
39 in January, 1964, and in accordance with
40 Article 7897, Revised Civil Statutes of
41 Texas, 1925. . . .

42 (3) Section 3, Chapter 38, Acts of the 57th
43 Legislature, 3rd Called Session, 1962, provides that
44 the board of supervisors must be selected by general
45 law for fresh water supply districts and that
46 elections for supervisors must be held in accordance
47 with the provisions of general laws relating to fresh
48 water supply districts. The revised law omits those

provisions because Subchapter D, Chapter 49, Water Code, governs those board elections. That subchapter applies to the district under Sections 49.001 and 49.002, Water Code. Any other general law relating to board elections applies by its own terms. The omitted law reads:

Sec. 3. . . . With the exception of said first Board of Supervisors, the Board of Supervisors shall be selected by General Law for fresh water supply districts. . . . Thereafter, Supervisors of the District shall be chosen, and [elections for Supervisors shall be held] in accordance with the provisions of General Laws relating to fresh water supply districts.

SUBCHAPTER C. POWERS AND DUTIES

Revised Law

Sec. 6914.101. GENERAL POWERS AND DUTIES. The district has all the rights, powers, privileges, and duties provided by general law applicable to a fresh water supply district created under Section 59, Article XVI, Texas Constitution, including Chapters 49 and 53, Water Code. (Acts 57th Leg., 3rd C.S., Ch. 38, Sec. 2 (part).)

Source Law

Sec. 2. The District shall have and exercise, and is hereby vested with, all of the rights, powers, privileges, and duties conferred and imposed by the General Laws of the State of Texas now in force or hereafter enacted, applicable to fresh water supply districts created under authority of Section 59 of Article XVI, Constitution of Texas, but Without in any way limiting the generalization of the foregoing, it is expressly provided that the District shall have and exercise, and is hereby vested with, all of the rights, powers, privileges, and duties conferred and imposed by Chapter 4 of Title 128, Revised Civil Statutes of Texas, 1925, together with all amendments thereto and additions thereto,

Revisor's Note

(1) Section 2, Chapter 38, Acts of the 57th Legislature, 3rd Called Session, 1962, states that the district "shall have and exercise, and is hereby vested with," certain rights, powers, privileges, and duties. The revised law substitutes "has" for the

1 quoted language because, in context, the terms are
2 synonymous and "has" is more commonly used.

3 (2) Section 2, Chapter 38, Acts of the 57th
4 Legislature, 3rd Called Session, 1962, states that the
5 district has the rights, powers, privileges, and
6 duties "conferred and imposed" by general law. The
7 revised law substitutes "provided" for the quoted
8 language because regardless of whether a right, power,
9 privilege, or duty is "conferred" by general law or
10 "imposed" by general law, it is not necessary to
11 characterize in the revised law the nature of the
12 granting of that authority. In context, "provided" is
13 synonymous with "conferred and imposed" and "provided"
14 is more commonly used.

15 (3) Section 2, Chapter 38, Acts of the 57th
16 Legislature, 3rd Called Session, 1962, refers to the
17 general laws of this state "now in force or hereafter
18 enacted." The revised law omits the quoted language as
19 unnecessary under accepted general principles of
20 statutory construction. The "General Laws of the
21 State of Texas" means those laws "in force" at the time
22 the provision was adopted. It is unnecessary to state
23 that the district may be granted additional powers by
24 later enacted laws because those laws apply on their
25 own terms.

26 (4) Section 2, Chapter 38, Acts of the 57th
27 Legislature, 3rd Called Session, 1962, provides that
28 Chapter 38 prevails over the general laws applicable
29 to fresh water supply districts in case of a conflict
30 and that those general laws are incorporated by
31 reference. The revised law omits the portion of the
32 provision relating to the chapter prevailing over
33 those general laws because it duplicates, in
34 substance, Section 311.026(b), Government Code (Code

1 Construction Act). The revised law omits the portion
2 of the provision relating to the incorporation of
3 those general laws by reference because Section 2 of
4 Chapter 38 (revised in part as this section) provides
5 that those laws apply to the district, and it is
6 unnecessary to repeat that authority. The omitted law
7 reads:

8 Sec. 2. [The District shall have and
9 exercise, and is hereby vested with, all of
10 the rights, powers, privileges, and duties
11 conferred and imposed by the General Laws of
12 the State of Texas now in force or hereafter
13 enacted, applicable to fresh water supply
14 districts created under authority of
15 Section 59 of Article XVI, Constitution of
16 Texas, but] to the extent that the
17 provisions of such General Laws may be in
18 conflict or inconsistent with the
19 provisions of this Act, the provisions of
20 this Act shall prevail. All such General
21 Laws are hereby incorporated by reference
22 with the same effect as if incorporated in
23 full in this Act. . . .

24 (5) Section 2, Chapter 38, Acts of the 57th
25 Legislature, 3rd Called Session, 1962, provides that
26 "[w]ithout in any way limiting the generalization of
27 the foregoing" rights, powers, privileges, and duties
28 provided by general law applicable to fresh water
29 supply districts, the district has certain express
30 rights, powers, privileges, and duties. The revised
31 law omits the quoted language as unnecessary because
32 an accepted principle of statutory construction
33 requires a statute to be given cumulative effect with
34 other statutes unless it provides otherwise or unless
35 the statutes are in conflict. The general principle
36 applies to this revision.

37 (6) Section 2, Chapter 38, Acts of the 57th
38 Legislature, 3rd Called Session, 1962, refers to
39 "Chapter 4 of Title 128, Revised Civil Statutes of
40 Texas, 1925, together with all amendments thereto and
41 additions thereto." The revised law substitutes a

1 reference to Chapter 53, Water Code, for the quoted
2 language because Chapter 4 was codified in 1971 as part
3 of Chapter 53, Water Code, a general law applicable to
4 fresh water supply districts. For the reader's
5 convenience, the revised law includes a reference to
6 Chapter 49, Water Code, because Chapter 715, Acts of
7 the 74th Legislature, Regular Session, 1995, repealed
8 many provisions of Chapter 53 and enacted similar
9 provisions in Chapter 49, Water Code. The revised law
10 omits the phrase "together with all amendments thereto
11 and additions thereto" because under Section 311.027,
12 Government Code (Code Construction Act), a reference
13 to a statute applies to all reenactments, revisions,
14 or amendments of that statute unless expressly
15 provided otherwise.

16 (7) Section 2, Chapter 38, Acts of the 57th
17 Legislature, 3rd Called Session, 1962, refers to
18 certain powers granted by Articles 7930-4 and 7941c,
19 Vernon's Texas Civil Statutes. The revised law omits
20 those references because the provisions, under which
21 the powers were granted, were included in the 1971
22 codification of Chapter 53, Water Code, and now are
23 contained in Chapter 53, Water Code (applicable to the
24 district under Section 2, Chapter 38, revised in
25 pertinent part as this section), or have been replaced
26 by provisions of Chapter 49, Water Code (applicable to
27 the district under Sections 49.001 and 49.002, Water
28 Code). The omitted law reads:

29 Sec. 2. . . . [the District shall
30 have . . . all of the rights, powers,
31 privileges, and duties] . . . including all
32 powers and authority relating to sanitary
33 sewer systems and the issuance of bonds
34 therefor as authorized by and provided in
35 Chapter 129, Acts of the 47th Legislature of
36 Texas, Regular Session, 1941 (Article
37 7930-4, Vernon's Texas Civil Statutes,
38 1925, as amended), including the power and
39 authority to issue tax bonds, revenue bonds

1 or tax-revenue bonds as authorized by and
2 provided in Chapter 233, Acts of the 52nd
3 Legislature of Texas, Regular Session, 1951
4 (Article 7941c, Vernon's Texas Civil
5 Statutes, as amended). . . .

6 Revised Law

7 Sec. 6914.102. ACQUISITION OF IMPROVEMENTS. (a) The
8 district may make, construct, or otherwise acquire improvements
9 inside or outside the district but wholly in Bee County, that are
10 necessary to carry out a power granted to the district under this
11 chapter or a general law described by Section 6914.101.

12 (b) Before awarding a contract for the construction of an
13 improvement, the district must submit a plan and specifications for
14 the improvement to the Texas Commission on Environmental Quality
15 for approval. Any substantial change made to the plan after
16 submission must also be submitted to the commission for approval.
17 (Acts 57th Leg., 3rd C.S., Ch. 38, Sec. 2 (part).)

18 Source Law

19 Sec. 2. . . . Said District shall have the power
20 to make, construct, or otherwise acquire improvements
21 either within or without the boundaries thereof but
22 wholly within Bee County necessary to carry out the
23 powers and authority granted by this Act and said
24 General Laws; and further provided, that before said
25 District shall award contracts for the construction of
26 its improvements it shall submit the plans and
27 specifications for same to the Board of Water
28 Engineers of Texas for approval, and, if any
29 substantial changes are thereafter made in such plans,
30 such changes shall also be submitted to said Board for
31 approval. . . .

32 Revisor's Note

33 (1) Section 2, Chapter 38, Acts of the 57th
34 Legislature, 3rd Called Session, 1962, refers to the
35 district's "powers and authority." The revised law
36 omits the reference to "authority" as included in the
37 meaning of "powers."

38 (2) Section 2, Chapter 38, Acts of the 57th
39 Legislature, 3rd Called Session, 1962, refers to the
40 Board of Water Engineers of Texas. The Texas
41 Commission on Environmental Quality has succeeded to
42 the relevant functions of the board of water

engineers, and the revised law is drafted accordingly.

Revised Law

Sec. 6914.103. COST OF RELOCATING OR ALTERING PROPERTY.

(a) In this section, "sole expense" means the actual cost of relocating, raising, lowering, rerouting, changing the grade of, or altering the construction of a facility described by Subsection (b) in providing comparable replacement without enhancement of the facility, after deducting from that cost the net salvage value of the old facility.

(b) If the district's exercise of the power of eminent domain, the power of relocation, or any other power granted under this chapter makes necessary relocating, raising, rerouting, changing the grade of, or altering the construction of a highway, railroad, electric transmission line, telephone or telegraph property or facility, or pipeline, the necessary action shall be accomplished at the sole expense of the district. (Acts 57th Leg., 3rd C.S., Ch. 38, Sec. 2 (part).)

Source Law

Sec. 2. . . . In the event that the District in the exercise of the power of eminent domain or power of relocation, or any other power granted hereunder, makes necessary the relocation, raising, rerouting or changing the grade of, or altering the construction of, any highway, railroad, electric transmission line, telephone or telegraph properties and facilities, or pipeline, all such necessary relocation, raising, rerouting, changing of grade or alteration of construction shall be accomplished at the sole expense of the District. The term "sole expense" shall mean the actual cost of such relocation, raising, lowering, rerouting, or change in grade or alteration of construction in providing comparable replacement without enhancement of such facilities, after deducting therefrom the net salvage value derived from the old facility.

Revised Law

Sec. 6914.104. ADDITION OF TERRITORY TO DISTRICT. (a) The district may be composed of noncontiguous territory.

(b) In addition to adding land as provided by Subchapter J, Chapter 49, Water Code, the district may add land as provided by this section. Land added to the district need not be contiguous to the district.

1 (c) The owner of land may request by petition that the board
2 include the land in the district.

3 (d) A petition under Subsection (c) must be filed with the
4 board and describe the land to be added to the district. The
5 description may be by metes and bounds or by lot and block number.
6 The petition must be signed and executed in the manner provided by
7 law for the conveyance of real estate.

8 (e) The board shall hear and consider a petition filed under
9 this section. The board may grant the petition and add the land to
10 the district if the board considers the addition to be to the
11 advantage of the district.

12 (f) A petition granted under this section shall be filed and
13 recorded in the office of the Bee County Clerk. (Acts 57th Leg.,
14 3rd C.S., Ch. 38, Sec. 6.)

15 Source Law

16 Sec. 6. It is specifically provided that said
17 District may hereafter consist of separate bodies of
18 land separated by land not embraced in the District.
19 Land, contiguous or otherwise, may be added to said
20 District not only in the manner now provided by Chapter
21 4, Title 128, Revised Civil Statutes of Texas, 1925, as
22 amended, but also land may be added to such District
23 and become a part thereof upon petition of the owner
24 thereof in the following manner: the owner of the land
25 shall file with the Board of Supervisors a petition
26 praying that the lands described be added to and become
27 a part of said District, and said petition may describe
28 said land by metes and bounds or by lot and block
29 number and shall be signed and executed in the same
30 manner provided by law for the conveyance of real
31 estate. Such petition shall be heard and considered by
32 the Board of Supervisors and may be granted and said
33 land added to the District if same is considered to be
34 to the advantage of the District. Any such petition
35 which may be granted so adding lands to a District
36 shall be filed for record and be recorded in the office
37 of the Bee County Clerk.

38 Revisor's Note

39 Section 6, Chapter 38, Acts of the 57th
40 Legislature, 3rd Called Session, 1962, refers to the
41 district's authority to add land to the district in the
42 manner provided by "Chapter 4, Title 128, Revised
43 Civil Statutes of Texas, 1925, as amended." Chapter
44 58, Acts of the 62nd Legislature, Regular Session,

1 1971, codified the relevant provisions of Chapter 4,
2 Title 128, in Subchapter G, Chapter 53, Water Code.
3 Chapter 715, Acts of the 74th Legislature, Regular
4 Session, 1995, repealed the Chapter 53 provisions
5 relating to the addition of land and enacted similar
6 provisions as part of Subchapter J, Chapter 49, Water
7 Code. Therefore, the revised law substitutes
8 "Subchapter J, Chapter 49, Water Code," as the
9 successor to the relevant provisions of Chapter 4,
10 Title 128. The revised law also omits the phrase "as
11 amended" for the reason stated in Revisor's Note (6) to
12 Section 6914.101.

13 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

14 Revised Law

15 Sec. 6914.151. DISTRICT TAX ASSESSOR-COLLECTOR. (a) The
16 board shall appoint a tax assessor-collector for the district for a
17 term not to exceed the term of office of the supervisors making the
18 appointment.

19 (b) The district's tax assessor-collector is not required
20 to be a resident or voter of the district. (Acts 57th Leg., 3rd
21 C.S., Ch. 38, Sec. 4 (part).)

22 Source Law

23 Sec. 4. . . . the District's Tax
24 Assessor-Collector shall be appointed by the Board of
25 Supervisors for a term not to exceed the term of office
26 of the members of the Board making such appointment,
27 and further, that said Tax Assessor-Collector need not
28 be a resident or voter of the District.

29 Revisor's Note
30 (End of Subchapter)

31 Section 4, Chapter 38, Acts of the 57th
32 Legislature, 3rd Called Session, 1962, provides that
33 all laws relative to the assessment, levy, and
34 collection of ad valorem taxes apply to the district.
35 Because Section 2 of Chapter 38 (revised in pertinent
36 part as Section 6914.101 of this chapter) provides
37 that the district has all of the powers and duties

1 provided by the general laws applicable to fresh water
2 supply districts, it is unnecessary to provide in this
3 chapter that the levying of taxes by the district is
4 governed by the general laws applicable to such
5 districts. In addition, because Section 1.02, Tax
6 Code, requires all taxing units of government,
7 including fresh water supply districts, to administer
8 the assessment and collection of ad valorem taxes in
9 conformity with Title 1, Tax Code, it is unnecessary to
10 provide in this chapter that the assessment and
11 collection of taxes by the district is governed by the
12 general laws applicable to such districts. The
13 omitted law reads:

14 Sec. 4. All provisions of the General
15 Laws relative to the assessment, levy, and
16 collection of ad valorem taxes shall apply
17 to the District, except that

18 Revisor's Note
19 (End of Chapter)

20 Section 8, Chapter 38, Acts of the 57th
21 Legislature, 3rd Called Session, 1962, provides that
22 the act is severable. The revised law omits that
23 provision because the same result is produced by the
24 application of Section 311.032(c), Government Code
25 (Code Construction Act), which provides that a
26 provision of a statute is severable from each other
27 provision of the statute that can be given effect. The
28 omitted law reads:

29 Sec. 8. If any word, phrase, clause,
30 sentence, paragraph, Section or other part
31 of this Act, or the application thereof to
32 any person or circumstance, shall ever be
33 held by a court of competent jurisdiction to
34 be invalid or unconstitutional, the
35 remainder of this Act and the application of
36 such word, phrase, clause, sentence,
37 paragraph, Section, or other part of this
38 Act to other persons or circumstances shall
39 not be affected thereby.